

FILED 8.27.01
 LODGED ENTERED
 RECEIVED

AUG 23 2001

AT SEATTLE
 CLERK U.S. DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 BY DEPUTY

UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 AT SEATTLE

WEI ZHANG,

Plaintiff,

NO. C99-1441Z

v.

VERDICT FORM

AMERICAN GEM SEAFOODS, et al.,

Defendants.

WE, THE JURY, make the following answers to the questions
 submitted by the Court.

Question No. 1

Do you find for plaintiff Wei Zhang with respect to his first
 claim for hostile work environment based on race or national
 origin under federal and state law as to the defendants?

Answer

MCMI Food Company/
 American Gem Seafoods

Yes _____

No X

Harry Lees

Yes _____

No X

VERDICT - 1

223

1 If you answer Question 1 "yes" as to any defendant, answer
2 Question 2 as to that defendant or defendants.

3 If you answer Question 1 "no" as to all defendants, proceed
4 to Question 3.

5
6 Question No. 2

7 What total amount of damages, if any, do you award Plaintiff
8 on his first claim? You must apportion the damages you award
9 among the defendants you find responsible.

10 Answer

11 TOTAL Amount of Damages \$ _____
12

13 Apportionment of TOTAL Damages among Defendants

14 MCMI Food Company/ \$ _____
15 American Gem Seafoods

16 Harry Lees \$ _____
17

18
19 Question No. 3

20 Do you find for plaintiff Wei Zhang with respect to his
21 second claim for race and national origin discrimination in
22 violation of federal law as to the defendants?

23 Answer

24 MCMI Food Company/ Yes X No _____
25 American Gem Seafoods

26 Harry Lees Yes _____ No X
27

28 VERDICT - 2

Question No. 4

Do you find for plaintiff Wei Zhang with respect to his third claim for race and national origin discrimination in violation of state law as to the defendants?

Answer

MCMI Food Company/
American Gem Seafoods Yes _____ No X

Harry Lees Yes _____ No X

Question No. 5

Do you find for plaintiff Wei Zhang with respect to his fourth claim for retaliatory discharge based on federal law as to the defendants?

Answer

MCMI Food Company/
American Gem Seafoods Yes _____ No X

Harry Lees Yes _____ No X

Question No. 6

Do you find for plaintiff Wei Zhang with respect to his fifth claim for retaliatory discharge based on state law as to the defendants?

Answer

MCMI Food Company/
American Gem Seafoods

Yes _____

No X

Harry Lees

Yes _____

No X

If your answer to question 3, 4, 5, or 6 is "yes," answer
Question 7.

If your answer to these questions is "no," do not answer
Question 7.

Question 7

What amount of total damages, if any, do you award Plaintiff
on claims 2, 3, 4, or 5? You must apportion the damages you award
among the defendants you find responsible.

Answer

TOTAL Amount of Damages \$ 360,000

Apportionment of Total Damages among Defendants

MCMI Food Company/
American Gem Seafoods \$ 360,000

Harry Lees \$ 0

If you answered "yes" to questions 1, 3 or 5 and find a
violation of federal law as to any defendant, answer Question 8 as
to that defendant or defendants.

If you answered "no" to questions 1, 3 or 5, proceed to
Question 10.

VERDICT - 4

Question No. 8

Was a defendant's conduct malicious or a reckless disregard of plaintiff's rights?

Answer

MCMI Food Company/
American Gem Seafoods

Yes

☒

No

☐

If you answer Question 8 "yes," answer Question 9.

If you answer Question 8 "no," proceed to Question 10.

Question No. 9

What total amount of punitive damages, if any, do you award the Plaintiff?

Answer

MCMI Food Company/
American Gem Seafoods

\$

2,600,000

Question No. 10

Do you find for plaintiff Wei Zhang with respect to his sixth claim for breach of Plaintiff's written employment contract?

Answer

American Gem Seafoods

Yes

☒

No

☐

Harry Lees

Yes

☒

No

☐

If you answered "yes" to Question 10 as to plaintiff's breach of contract claim, answer questions 11, 12 and 13.

If you answered "no" to Question 10, date and sign the verdict form.

Question No. 11

What total amount of lost wages or benefits through September 29, 1999, if any, do you award Plaintiff on his sixth claim for Breach of Contract?

Answer

TOTAL Amount of Damages \$ 86,000

If you awarded Plaintiff any lost wages or benefits on his sixth claim for Breach of Contract answer questions 12 and 13.

Question No. 12

Do you find that any wages or benefits were wilfully withheld with intent to deprive plaintiff of wages or benefits required by the contract?

Answer

American Gem Seafoods Yes X No

Harry Lees Yes X No

If you answered Question 12 "yes" as to any defendant, please answer Question 13.

If you answered Question 12 "no," date and sign the verdict form.

1 Question No. 13

2 What amount of wages or benefits were wilfully withheld
3 during the period from the date of termination until September 29,
4 1999?

5
6 Answer

\$ 87,500

7
8
9
10
11
12
13 DATED: 23 August 2001

PRESIDING JUROR: 

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28 VERDICT - 7